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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/733,742	12/11/2003	Conleth O'Connell	VIGN1640-2	8405

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EXAMINER	
PATEL, HETUL B	

ART UNIT	PAPER NUMBER
2186	

DATE MAILED: 01/17/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/733,742	O'CONNELL ET AL.	
	Examiner	Art Unit	
	Hetul Patel	2186	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 03 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *11 December 2003*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-43* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-43* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☒ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *11 December 2003* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date 03/29/04, [redacted], 08/20/04, 08/27/04, 09/02/04, 01/25/05, 03/07/05.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

1. Claims 1-43 are presented for examination.

2. The IDS submitted on 03/29/2004, 05/24/2004, 08/20/2004, 08/27/2004, 09/02/2004, 01/25/2005 and 03/07/2005 have received and carefully considered.

Specification

3. The abstract of the disclosure is objected to because the abstract of the current application exceeds 150 words in length. Correction is required. See MPEP § 608.01(b).

Applicant is reminded of the proper language and format for an abstract of the disclosure.

The abstract should be in narrative form and generally limited to a single paragraph on a separate sheet within the range of 50 to 150 words. It is important that the abstract not exceed 150 words in length since the space provided for the abstract on the computer tape used by the printer is limited. The form and legal phraseology often used in patent claims, such as "means" and "said," should be avoided. The abstract should describe the disclosure sufficiently to assist readers in deciding whether there is a need for consulting the full patent text for details.

The language should be clear and concise and should not repeat information given in the title. It should avoid using phrases which can be implied, such as, "The disclosure concerns," "The disclosure defined by this invention," "The disclosure describes," etc.

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

> The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

4. Claims 23, 31 and 43 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 23 recites the limitation "the method" in line 1. There is insufficient antecedent basis for this limitation in the claim. The phrase "The method of claim 18" should be replaced with the phrase "The system of claim 18".

Claim 31 recites the limitation "the software system" in line 1. There is insufficient antecedent basis for this limitation in the claim. The phrase "The software system of claim 17" should be replaced with the phrase "The software system of claim 30".

Claim 43 recites the limitation "the system" in line 1. There is insufficient antecedent basis for this limitation in the claim. The phrase "The system of claim 42" should be replaced with the phrase "The software system of claim 42".

Appropriate correction is required.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

5. Claims 1-7, 10-12, 16-20, 23-25, 29-35 and 38-40 are rejected under 35 U.S.C. 102(b) as being anticipated by Shen (USPN: 5,946,697).

As per claim 1, Shen teaches a method for updating a cache comprising regenerating a request (i.e. the checksum or macro name file) from metadata (i.e. the macro definition file) associated with previously stored content (i.e. the cached HTML file); receiving new content (i.e. the updated HTML file), wherein the new content is generated based on the request; and replacing the previously stored content with the new content in the cache (e.g. see the abstract).

As per claim 2, Shen teaches the claimed invention as described above and furthermore, Shen teaches that the method further comprising receiving information (i.e. the user request to access the HTML document on the server computer) on updated content (i.e. the updated HTML file) (e.g. see the abstract).

As per claim 3, Shen teaches the claimed invention as described above and furthermore, Shen teaches that the request (i.e. the checksum or macro name file) is generated in response to the information (i.e. the user request to access the HTML document on the server computer) received (e.g. see the abstract).

As per claim 4, Shen teaches the claimed invention as described above and furthermore, Shen teaches that the metadata is request metadata (i.e. the macro definition file) and the information received pertains to the request metadata (e.g. see the abstract).

As per claim 5, Shen teaches the claimed invention as described above and furthermore, Shen teaches that the information is received by a cache manager (i.e. the client agent software module) (e.g. see the abstract).

As per claim 6, Shen teaches the claimed invention as described above and furthermore, Shen teaches that the request is regenerated by the cache manager (i.e. the client agent software module) (e.g. see the abstract).

As per claim 7, Shen teaches the claimed invention as described above and furthermore, Shen teaches that the method further comprising sending the information, wherein the information is sent by an application manager (i.e. the user).

As per claim 10, Shen teaches the claimed invention as described above and furthermore, Shen teaches that the method further comprising locating the previously stored content in the cache (i.e. locating the cached HTML file) (e.g. see the abstract).

As per claim 11, Shen teaches the claimed invention as described above and furthermore, Shen teaches that the locating previously stored content comprises comparing the received information with the template metadata (i.e. the macro definition file) associated with the previously stored content (i.e. the cached HTML file) (e.g. see the abstract).

As per claim 12, Shen teaches the claimed invention as described above and furthermore, Shen teaches that the locating previously stored content comprises comparing the received information with the request metadata (i.e. the macro definition file) associated with the previously stored content (i.e. the cached HTML file) (e.g. see the abstract).

As per claims 16-19, see arguments with respect to the rejection of claims 1-4, respectively. Claims 16-19 are also rejected based on the same rationale as the rejection of claims 1-4, respectively.

As per claims 29-35, see arguments with respect to the rejection of claims 1-7, respectively. Claims 29-35 are also rejected based on the same rationale as the rejection of claims 1-7, respectively.

As per claims 20 and 23-25, see arguments with respect to the rejection of claims 7 and 10-12, respectively. Claims 20 and 23-25 are also rejected based on the same rationale as the rejection of claims 7 and 10-12, respectively.

As per claims 38-40, see arguments with respect to the rejection of claims 10-12, respectively. Claims 38-40 are also rejected based on the same rationale as the rejection of claims 10-12, respectively.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

6. Claims 8-9, 21-22 and 36-37 are rejected under 35 U.S.C. 103(a) as being unpatentable over Shen in view of Li et al. (USPN: 6,591,266) hereinafter, Li.

As per claim 8, Shen teaches the claimed invention as described above, but failed to teach that the information is sent in response to a content change, metadata change, or template change. Li, however, teaches that the information (i.e. the identity of modified data) is sent in response to a content change (i.e. the modification in the data stored in web pages) (e.g. see the claim 1). Accordingly, it would have been

obvious to one ordinary skilled in the art at the time of the current invention was made to implement the teaching of Li in the method taught by Shen. In doing so, the web pages stored in the cache can be updated based on the information sent in response to the modification on the web pages on the server. Therefore, the web page at the client/end-user screen is automatically updated whenever the web page on the server updated.

As per claim 9, the combination of Shen and Li teaches the claimed invention as described above and furthermore, Shen teaches that the information is sent via HTTP (i.e. using HTML document) (e.g. see the abstract).

As per claims 21 and 22, see arguments with respect to the rejection of claims 8-9, respectively. Claims 21 and 22 are also rejected based on the same rationale as the rejection of claims 8-9, respectively.

As per claims 36 and 37, see arguments with respect to the rejection of claims 8-9, respectively. Claims 36 and 37 are also rejected based on the same rationale as the rejection of claims 8-9, respectively.

7. Claims 13-15, 26-28 and 41-43 are rejected under 35 U.S.C. 103(a) as being unpatentable over Shen in view of Chow et al. (USPN: 6,029,175) hereinafter, Chow.

As per claims 13 and 14, Shen teaches the claimed invention as described above. However, Shen failed to teach the regenerating request is not based on a user request. Chow, on the other hand, teaches that the regenerating the request (i.e. checking for the updated data on the server) is based on a timer not based on a user

request (e.g. see Col. 3, lines 19-25). Accordingly, it would have been obvious to one ordinary skilled in the art at the time of the current invention was made to implement Chow's timer in the method taught by Shen. In doing so, the retrieval of the changed/updated content from the server can be done automatically instead of manually requesting for it and waiting for the updated data to be retrieved.

As per claim 15, the combination of Shen and Chow teaches the claimed invention as described above and furthermore, Chow teaches that the timer is associated with the previously stored data, i.e. the previously stored data is refreshed based on the timer (e.g. see Col. 3, lines 19-25).

As per claims 26-28, see arguments with respect to the rejection of claims 13-15, respectively. Claims 26-28 are also rejected based on the same rationale as the rejection of claims 13-15, respectively.

As per claims 41-43, see arguments with respect to the rejection of claims 13-15, respectively. Claims 41-43 are also rejected based on the same rationale as the rejection of claims 13-15, respectively.

Conclusion

8. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Hetul Patel whose telephone number is 571-272-4184. The examiner can normally be reached on M-F 8-4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Matt Kim can be reached on 571-272-4182. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

HBP

HONG CHONG KIM
PRIMARY EXAMINER